

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2006-241-T - ORDER NO. 2006-526  
SEPTEMBER 20, 2006

IN RE: Application of J W Moving and Storage, Inc.	) ORDER APPROVING
DBA All My Sons Moving and Storage, 10	) TRANSFER OF
Woodruff Oaks Lane, Greenville, SC 29607	) CERTIFICATE
(District 4) to Transfer Class E (Household	)
Goods) Certificate of Public Convenience and	)
Necessity No. 9715-B to All My Sons Moving	)
and Storage of Greenville, Inc.	)
	)

This matter comes before the Public Service Commission of South Carolina (the Commission) pursuant to the Application of J W Moving and Storage, Incorporated d/b/a All My Sons Moving and Storage (JW or the Company) to transfer Class E Household Goods Certificate No. 9715-B to All My Sons Moving and Storage of Greenville, Inc. (All My Sons). The request for transfer is made pursuant to 26 S.C. Code Ann. Regs. 103-135 (Supp. 2005). The Company also requests waiver of notice and hearing requirements. As stated below, we grant waiver of the notice and hearing requirements and approve the transfer of the Certificate.

Initially, JW requests waiver of the Commission's notice regulation, 26 S.C. Code Ann. Regs. 103-132 and the Commission's hearing regulation, 26 S.C. Code Ann. Regs. 103-134. JW points out that 103-132 and 103-134 do not require notice or hearing on applications such as the one before us, i.e. an application for a transfer of a certificate. Whereas we do not concede these points, we do note that the Company relates that the

transfer is being sought solely for purposes of effectuating corporate changes to the holder of the certificate, and that the day-to-day operations of the company will not be affected, nor will the services that the Company provides to the public be affected. Under these circumstances, we waive application of Regulations 103-132 and 103-134, that is notice and hearing.

Accordingly, we will proceed to rule on the unopposed Application. 26 S.C. Code Ann. Regs. 103-135 (Supp. 2005) sets out the criteria and the proof required for our approval of an Application for a transfer of a Certificate. 103-135 (4) (Supp. 2005) states that the Commission shall approve an application for transfer of a Certificate upon finding (1) that the transfer of the certificate will not adversely affect the service to the public under the certificate; (2) that the person acquiring said certificate or control thereof is fit, willing, and able to perform such service to the public under the certificate; and (3) that all services under the certificate have been continuously offered and reasonably provided to the public for a period of time not less than twelve months prior to the date of the filing of the application for approval of the transfer. In the present case, the Application and accompanying materials show that all three of these criteria are satisfied.

By letter dated June 11, 2004, JW informed the Commission of a series of stock transactions affecting the ownership of the corporate entity JW. These transactions did not affect the ownership of the company's certificate, its operations, or the company's d/b/a name. Since that time, the stock of two minority shareholders has been cancelled and Mr. Frank Fugati has been appointed President of JW and is responsible for management of its day to day operations.

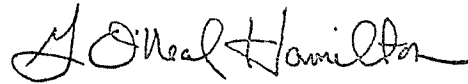
On or about March 15, 2006, JW executed an Agreement and Plan of Merger with All My Sons Moving and Storage of Greenville, Inc., wherein JW will be merged into All My Sons, with All My Sons as the surviving corporate entity and with Mr. Frank Fugati as the President and owner of 50% of all outstanding shares. Mr. Fugati will continue to manage the day to day operations of All My Sons, and, according to the Company, the transfer will not affect the day to day operations of All My Sons or the services that it currently offers to the public.

Accordingly, we hold (1) that the transfer of the certificate will not adversely affect the service to the public under the certificate (2) that the entity acquiring the certificate is fit, willing, and able to perform the service to the public under the certificate, since it is basically the same entity that has been operating the company all along, and (3) that all services under the certificate have been continuously offered and reasonably provided to the public for a period of time not less than twelve months prior to the date of the filing of the application, as demonstrated by bills of lading furnished by the Company.

Because the Company meets the standards set out by Regulation 103-135 for approval of transfer of a Certificate, we hereby approve the transfer of the Certificate as requested. Further we hereby recognize the surviving corporate name All My Sons Moving and Storage of Greenville, Incorporated as the new Certificate holder. The new entity shall comply with all Commission Rules and Regulations prior to the transfer of the Certificate. The Certificate may then be transferred upon such compliance.

This Order shall remain in full force and effect until further Order of the Commission.

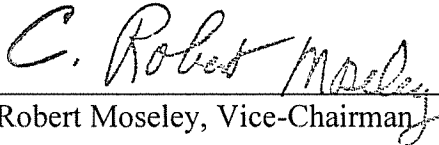
BY ORDER OF THE COMMISSION:



---

G. O'Neal Hamilton, Chairman

ATTEST:



---

C. Robert Moseley, Vice-Chairman

(SEAL)